

IN RE: ELDA Y CASTRO GAVILLAN

Bkrtcy. No. 11-05324-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Jun 24, 2011</u>	Meeting Date: <u>Aug 18, 2011</u>	DC Track No. <u>12</u>						
Days from petition date: <u>55</u>	Meeting Time: <u>10:00 AM</u>							
910 Days before Petition: <u>12/26/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Aug 16, 2011</u> Dkt.# <u>13</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>2nd</u> Bankruptcy petition. <i>(2nd was Plan 10 yrs ago)</i>								
Plan Base: <u>\$34,860.00</u>								
This is the <u>1st</u> Scheduled Meeting	Confirmation Hearing Date: <u>Sep 16, 2011</u>	Time: <u>2:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1" style="width:100%"> <thead> <tr> <th>CK/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	CK/MO No.	Date	Amount				Total Paid In: <u>\$570.00</u>
CK/MO No.	Date	Amount						

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference <input checked="" type="checkbox"/> Debtor Present <input checked="" type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent <input type="checkbox"/> Joint Debtor Present <input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Joint Debtor Absent Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath. Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present <input checked="" type="checkbox"/> Substitute attorney: <u>A. Carrion</u> <input type="checkbox"/> Pro-se.			<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
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II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>MARILYN VALDES ORTEGA*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$350.00</u>	Outstanding: <u>\$2,650.00</u> <small>THROUGH THE PLAN</small>

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>0.00</u>	
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>0</u>	
<u>8.41%</u> The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <u>Plan confirmation.</u>		
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR ___ DAYS		
§341 Meeting Rescheduled for: _____		

V. Trustee's OBJECTIONS to Confirmation: <u>10 other</u>		
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay §507
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Tax returns requirements. [§1308]	<input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:
<u>Debtor must upload 2007-2009 tax returns through EDPA (Puerto Rico)</u> <u>Trustee to review food expenses. The same are almost \$300.00 over IRS standards.</u>

/s/ José R. Carrion
TrusteeJM
Presiding OfficerPage 1 of 1

Date: Aug 18, 2011